

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT WINCHESTER**

UNITED STATES OF AMERICA	)	Case No. 4:22-cr-17
	)	
v.	)	Judge Atchley
	)	
JOHNNY CATES	)	Magistrate Judge Steger

**ORDER**

U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation [Doc. 196] recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea to a lesser included offense of Count One of the six count Indictment; (2) accept Defendant's guilty plea to a lesser included offense of Count One of the six count Indictment; (3) adjudicate Defendant guilty of conspiracy to distribute methamphetamine in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B), and 846; and (4) order that Defendant remain in custody pending sentencing or further order of this Court.

After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [Doc. 196] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea to a lesser included offense of Count One of the six count Indictment is **GRANTED**;
2. Defendant's plea of guilty to a lesser included offense of Count One of the six count Indictment is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of conspiracy to distribute methamphetamine in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B), and 846; and

4. Defendant **SHALL REMAIN** in custody until further order of this Court or sentencing in this matter which is scheduled to take place on **June 29, 2023, at 2:00 p.m.**

**SO ORDERED.**

/s/Charles E. Atchley  
CHARLES E. ATCHLEY  
UNITED STATES DISTRICT JUDGE